

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

CLIFFORD TUTTLE, et. al.

Consolidated with

JOHN NICHOLAS, et.al.

Plaintiffs,  
v.

CITY OF HOUSTON; ART ACEVEDO, et. al.  
Defendants.

Case No. 4:21-cv-00270

(JURY DEMANDED)

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**THE TUTTLE AND NICHOLAS PLAINTIFFS' MOTION TO DISMISS PURSUANT TO  
FED.R.CIV.PRO. 41(a)(2) INDIVIDUAL DEFENDANTS SEPOLIO; SALAZAR; WOOD;  
PARDO, MEDINA; REYNA; LOVINGS; AND ASHRAF**

The Nicholas and Tuttle Plaintiffs move pursuant to Fed.R.Civ.Pro.. 41(a)(2) to dismiss Defendants Eric Sepolio; Manuel Salazar; Thomas Wood; Oscar Pardo; Frank Medina; Clemente Reyna; Cedell Lovings; and Nadeem Ashraf so as to:

1) Remove from the trial individual Defendants asserting the 5th Amendment rather than directly and honestly answering relevant questions necessary to streamline the trial process and tell the full story of what was done to Rhogena Nicholas and Dennis Tuttle and how the Houston Police Department Squad 15 operated with impunity for years and years;

2) Remove individual Defendants that may attempt to further delay trial by filing still more dilatory interlocutory appeals; and

3) Remove individual Defendants liable for conspiracy, only, in the expectation that the conduct of Squad 15 is expected to be fully revealed at the trial of this matter in May 2025.

**CONCLUSION**

The Nicholas and Tuttle Plaintiffs respectfully request the Court grant their Motion to

Dismiss on the grounds determined by the Court and so as to proceed to trial in May 2025.

Dated: November 21, 2024

/s/ Michael Patrick Doyle

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#### **CERTIFICATE OF SERVICE**

I, the undersigned attorney, do hereby certify that a true and correct copy of the foregoing document was forwarded to the following counsel of record on this November 21, 2024, via CM/ECF, hand delivery, electronic mail, overnight courier, U.S. Mail, certified mail, return receipt request, or facsimile, pursuant to the Federal Rules of Civil Procedure.

/s/ Michael Patrick Doyle

Michael Patrick Doyle

#### **CERTIFICATE OF CONFERENCE**

I, the undersigned attorney, do hereby certify that after conferring with counsel for Defendants, this Motion is OPPOSED.

/s/ Michael Patrick Doyle

Michael Patrick Doyle

